

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention or design entitled

**METHODS AND MIXTURES FOR TREATING DISTRESSED TREES**

filed herewith; specification of which that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge my duty to disclose information known to be material to the patentability of a pending claim in this application in accordance with 37 C.F.R. 1.56(a).

I hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States Application, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: N/A

Serial No.	Filing Date

I hereby appoint:

Kelly K. Kordzik  
James J. Murphy  
Barry Newberger  
Ehrlich, Henry L.  
Garsson, Ross S.  
Mason, Dwayne  
Rogers, Charles J.  
Shaddox, Robert C.

Reg. No. 36,571  
Reg. No. 34,503  
Reg. No. 41,527  
Reg. No. 39,663  
Reg. No. 38,150  
Reg. No. 38,959  
Reg. No. 38,286  
Reg. No. 34,011

of the firm of Winstead Sechrest & Minick P.C., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities under the Patent Cooperation Treaty.

Send Correspondence To:  
Winstead Sechrest & Minick P.C.  
5400 Renaissance Tower  
1201 Elm Street  
Dallas, Texas 75270

Direct Telephone Calls To  
James J. Murphy  
at (214) 745-5374  
Atty. Docket No.  
22601- P002US

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**Full name of the first inventor**

Don Wiley Smith


Inventor's signature

Date

Residence (City, County, State)

Citizenship

Post Office Address

  
9-12-2000  
Denton, Denton County, Texas  
United States of America  
2107 Emerson Lane 76201

**Full name of the second inventor**

Peter Martin


Inventor's signature

Date

Residence (City, County, State)

Citizenship

Post Office Address

  
9/12/2000  
Denton, Denton County, Texas  
United States of America  
413 Meng Circle 76201

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR

Docket Number (Optional)  
22601-P002US

Applicant or Patentee: Don Wiley Smith and Peter Martin

Application Serial No. \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

Title: METHODS AND MIXTURES FOR TREATING DISTRESSED TREES.

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

☒ the specification filed herewith with title as listed above.

☐ the application identified above.

☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e)

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ No such person, concern, or organization exists.

☐ Each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Don Wiley Smith  
NAME OF INVENTOR

Don W Smith  
Signature of inventor

9/12/00  
Date

Peter Martin  
NAME OF INVENTOR

Peter Martin  
Signature of inventor

9/12/2000  
Date

\_\_\_\_\_  
NAME OF INVENTOR

\_\_\_\_\_  
Signature of inventor

\_\_\_\_\_  
Date